

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>6/28/12</u>

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JAVIER NUNES, on behalf of himself and all other persons Case Number:  
similarly situated, 12-civ-3232 (HB)

Plaintiff,

-against-

**STIPULATION**

LM RESTAURANT GROUP LLC d/b/a SIDEBAR,  
MICHAEL SINENSKY, and SEAN MCGARR

Defendants.  
-----X

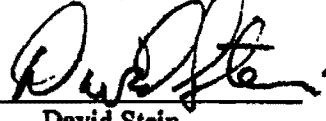
WHEREAS the parties in the above-captioned action are actively engaging in settlement negotiations and seek to avoid expending resources that may not be necessary to expend;

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for plaintiff JAVIER NUNES ("Plaintiff") and defendants LM RESTAURANT GROUP LLC d/b/a SIDEBAR, MICHAEL SINENSKY, and SEAN MCGARR (collectively, "Defendants") in the above-captioned action that:

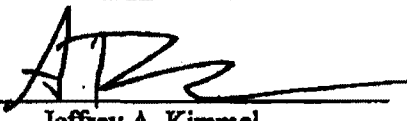
1. Defendants' time to answer the Complaint in the above-referenced action is extended to July 6, 2012;
2. Defendants waive all defenses related to service of process and personal jurisdiction in connection with the Complaint in this action; and
3. This Stipulation may be signed in multiple counterparts, and by facsimile or pdf scan, each of which when so executed and delivered shall be deemed an original, but all of which when taken together shall constitute but one and the same instrument.

Dated: New York, New York  
June 18, 2012

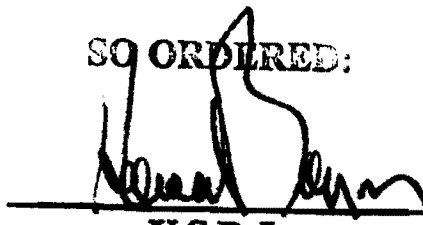
SAMUEL & STEIN

By:   
David Stein  
38 West 32<sup>nd</sup> Street  
Suite 1110  
New York, NY 10001  
(212) 563-9884  
*Attorneys for Plaintiff*

MEISTER SEELIG & FEIN LLP

By:   
Jeffrey A. Kimmel  
Alyson C. Bruns  
Two Grand Central Tower  
140 East 45<sup>th</sup> Street, 19<sup>th</sup> Floor  
New York, New York 10017  
(212) 655-3500  
*Attorneys for Defendants*

SO ORDERED:

  
U.S.D.J. 6/27/12

